

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN MELENDEZ, ET AL.,

Plaintiffs,

v.

DIAZ, ET AL.,

Defendants.

Case No. 1:20-cv-01393-ADA-CDB (PC)

ORDER GRANTING IN PART PARTIES'
STIPULATED REQUEST TO AMEND
SCHEDULING ORDER

(Doc. 53)

ORDER TO EITHER FILE STIPULATED
PROTECTIVE ORDER OR APPEAR FOR
STATUS CONFERENCE

Four Day Deadline

Pending before the Court is the parties' stipulated request for a 60-day extension of discovery and pretrial motion dates. (Doc. 53). The parties represent that the requested extension is warranted given counsel for Plaintiffs' recent success in relocating plaintiff Phillip Bernard following an extended period of non-communication, the parties' diligence in undertaking discovery since the parties' last requested extension, and the parties' challenges in finalizing a stipulated protective order.

Plaintiffs report noticing Defendants' depositions to take place on May 16 and 17, 2023. *Id.* at 3. However, the parties represent that those depositions are likely to be postponed because they are contingent on Defendants' production of confidential documents that would be subject to the protective order.

Furthermore, the parties represent that the magistrate judge's Findings and

1 Recommendation to Grant Defendants' Motion for Summary Judgment as to eight of the 12
2 Plaintiffs (Doc. 51), if adopted in full, would have a significant impact on the amount of expert
3 discovery on the issue of damages. Additionally, the parties represent that they have identified
4 additional witnesses over the course of the depositions which may require further investigation
5 and possible deposition.

6 The Court finds under the circumstances the parties have set forth good cause for a
7 further extension of the time within which to complete discovery and file dispositive motions and
8 shall grant the parties' request for an extension in part. Additionally, because the parties
9 continue to confront challenges regarding the anticipated stipulated protective order, the Court
10 shall set a date by which either the stipulated protective order is filed for the Court's ruling, or
11 the parties shall appear for status conference for further argument. Finally, the pretrial and trial
12 dates shall be vacated and reset following the Court's ruling on Defendants' motion for summary
13 judgment and the close of non-expert discovery.

14 Accordingly, it is HEREBY ORDERED:

- 15 1. The Scheduling Order (Docs. 31, 36) is amended to incorporate the following revised
16 dates: (a) Non-Expert Discovery Deadline [July 28, 2023]; (b) Expert Disclosure
17 Deadline [August 9, 2023]; (c) Supplemental Expert Disclosure Deadline [August 23,
18 2023]; (d) Expert Discovery Deadline [September 14, 2023]; (e) Dispositive Motion
19 Filing Deadline [September 29, 2023].
- 20 2. The Parties shall file a stipulated protective order by **May 19, 2023**. If no such
21 protective order is filed, the parties shall appear for a status conference on **May 22,**
22 **2023, at 10:00 A.M.** The parties shall coordinate with the undersigned's Courtroom
23 Deputy Clerk in advance of the status conference to obtain Zoom connection
24 information (shall@caed.uscourts.gov).

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- 1 3. The pretrial and trial dates are vacated and shall be reset following the Court's ruling
2 on Defendants' motion for summary judgment and the close of non-expert discovery.

3 IT IS SO ORDERED.

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5 Dated: May 15, 2023


UNITED STATES MAGISTRATE JUDGE